

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.32587 of 2013
and
M.P.Nos.1 and 2 of 2013

1. Aravind Viswanathan
2. T.K.Viswanathan
3. V.Vaidehi
4. R.Arathi ... Petitioners/Respondents 1 to 3
vs
Sundari Lakshminarayanan @ Vidhya ... Respondent/Applicant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., seeking to quash the proceedings initiated by the respondent in M.P.No.4203 of 2013 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner :Mr.N.Suresh
For Respondent :Mr.A.Thiyagarajan

ORDER

Earlier this matter was referred to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras by an order of this Court dated 19.12.2013. However, the Mediation Centre has filed its report dated 09.10.2014 stating that the parties were not able to arrive at an amicable settlement. Hence, the matter is before this Court.

2. Heard both sides.

3. The petitioner seeks to challenge the domestic violence proceedings initiated by the respondent against the petitioners under the Domestic Violence Act.

4. According to the petitioners, the first petitioner got married to the respondent on 01.02.2013 and they lived hardly for four months and thereafter their matrimonial life ran into rough weather and they got estranged. The petitioners found out several incriminating materials showing the respondent having affairs with several men. Infuriated by this, he filed HMOP No.393 of 2013 and the same is pending on the file of the Sub Court, Poonamallee.

5. Learned counsel for the respondent very strongly objected to the allegations made by the petitioners and submitted that there are enough materials on record to show that the respondent was subjected to domestic violence.

6. Learned counsel for the petitioners produced several photographs that were ferreted out from the lap top of the respondent, which are not in good taste.

7. On a reading of the complaint lodged by the respondent, it appears that she has suppressed several facts and has lodged a vexatious complaint against her husband and all his family members. Thus, this Court finds that, on facts, there is an abuse of process of law and this petition deserves to be allowed.

8. Accordingly, the proceedings initiated by the respondent in M.P.No.4203 of 2013 on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai is quashed and this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai.
- 2.-do- Thro The Chief Metropolitan Magistrate, Egmore, Chennai.
3. The Public Prosecutor, Madras.

1 cc to Mr.N.Suresh ,Advocate, SR.No.20712

1 cc to Mr.A.Thigarajan ,Advocate, SR.No.20536

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tej(co)

pmk.23.4.2015